



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket No: PM-8935-A

In re patent application of

SPURLOCK, MICHAEL E. et al.

Serial No. 09/932,888

Filed: August 20, 2001

For: PORCINE LEPTIN PROTEIN, ANTISENSE AND ANTIBODY

STATEMENT TO SUPPORT FILING AND SUBMISSION IN
ACCORDANCE WITH 37 C.F.R. §§ 1.821-1.825

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Assistant Commissioner for Patents
Washington, D.C. 20231
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Sir:

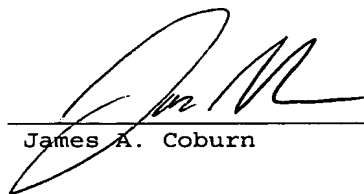
In connection with a Sequence Listing submitted concurrently herewith, the undersigned hereby states that:

1. the submission, filed herewith in accordance with 37 C.F.R. § 1.821(g), does not include new matter;

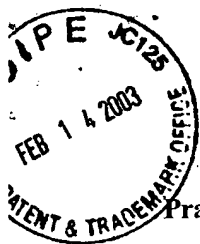
2. the content of the attached paper copy and the attached computer readable copy of the Sequence Listing, submitted in accordance with 37 C.F.R. § 1.821(c) and (e), respectively, are the same.

Respectfully submitted,

February 6, 2003
Date


James A. Coburn

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Portsmouth, N.H.
800-318-3021



02-19-03

Gp# 16478

Practitioner's Docket No. PM-8935-A

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Spurlock, Michael E.; et al.

Application No.: 09/932,888

Group No.: 1647

Filed: 08/20/2001

Examiner: C. Saoud

For: Porcine Leptin Protein, Antisense and Antibody

Box Sequence

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SUBMISSION OF "SEQUENCE LISTING," COMPUTER READABLE COPY,
AND/OR AMENDMENT PERTAINING THERETO
FOR BIOTECHNOLOGY INVENTION CONTAINING NUCLEOTIDE
AND/OR AMINO ACID SEQUENCE

Office Letter dated December 17, 2002.

Office Letter is enclosed.

IDENTIFICATION OF PERSON MAKING STATEMENT

I state the following:

CERTIFICATION UNDER 37 C.F.R. sections 1.8(a) and 1.10*

As shown below, this correspondence is being:

MAILING

the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents,
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37 C.F.R. section 1.10*

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Date: 2-14-03

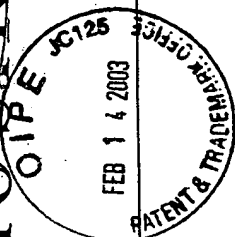
Jere L. Houk

MKE/824347.1

(Submission-Nucleotide and/or Amino Acid Sequence--page 1 of 3)

DISK TO STIC

DATE:



ITEMS BEING SUBMITTED

3. Submitted herewith is/are:

"Sequence Listing(s)" for the nucleotide and/or amino acid sequence(s) in this application. Each "Sequence Listing" is assigned a separate identifier as required in 37 C.F.R. section 1.821(c) and 37 C.F.R. sections 1.822 and 1.823.

An amendment to the description and/or claims, wherein reference is made to the sequence by use of the assigned identifier, as required in 37 C.F.R. section 1.821(d).

A copy of each "Sequence Listing" submitted for this application in computer readable form, in accordance with the requirements of 37 C.F.R. sections 1.821(e) and 1.824.

A statement that the content of each "Sequence Listing" submitted and each computer readable copy are the same, as required in 37 C.F.R. section 1.821(g).

Because this submission is made in fulfilling the requirement under 37 C.F.R. section 1.821(g), a statement that the submission includes no new matter.

**STATEMENT THAT "SEQUENCE LISTING"
AND COMPUTER READABLE COPY ARE THE SAME
AND/OR THAT PAPERS SUBMITTED INCLUDES NO NEW MATTER**

4. I hereby state:

Each computer readable form submitted in this application is the same as the "Sequence Listing" to which it is indicated to relate.

STATUS

5. Applicant is other than a small entity.

EXTENSION OF TERM

6. The proceedings herein are for a patent application and the provisions of 37 C.F.R. section 1.136 apply. Applicant petitions for an extension of time under 37 C.F.R. section 1.136 (fees: 37 C.F.R. section 1.17(a)(1)-(4)) for one month:

Fee: \$110.00

FEE PAYMENT

7. Attached is a check in the sum of **\$110.00**

If any additional extension and/or fee is required, charge Account No. 23-2053.

Dated: 2/13/03

Alan E. Wagner
Alan E. Wagner
Registration Number: 45188

Whyte Hirschboeck Dudek S.C.
111 E. Wisconsin Ave., Suite 2100
Milwaukee, WI 53202
Tel. No. 414-273-2100
Customer No. 022202

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: ***The specification contains sequence which are not represented by a Sequence Identifier and may also not be present in the Sequence Listing (which would require a new Sequence Listing).***

Applicant Must Provide:

- ☒ An initial or ***substitute computer readable form (CRF) copy*** of the "Sequence Listing", if necessary.
- ☒ An initial or ***substitute paper copy*** of the "Sequence Listing", as well as an amendment directing its entry into the specification, if necessary.
- ☒ A ***statement*** that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d), if necessary.

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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